



Coming to the tribunal

Settling the appeal before the hearing

You should contact the tribunal as soon as possible if either you withdraw your appeal or the local authority allows it.

If you are near an agreement to settle your appeal, you should request a short postponement. This should be submitted as soon as possible to prevent late notifications to cancel the hearing.

If you do not tell the tribunal that your appeal has been settled within two working days of the hearing date, your request to cancel the hearing might be refused and you may be advised to make your request in writing to the judge at the hearing.

Hearing times

Special educational needs hearings will take place at either 10am or 2pm, Monday to Friday. However, on occasions this may vary depending on the venue and the issues of the appeal. Disability discrimination claims hearings will start at 10am.

Hearing panel

The panel will consist of a judge and two specialist panel members.

Hearing procedure

The hearing is conducted in an informal and relaxed way. At most venues the panel and parties sit around the table with the panel facing both parties. Mobile phones must be switched off or in silent mode before entering the hearing room. Laptops or similar devices are not to be used in the hearing room. Smoking is not permitted within venues buildings.

Arriving at the hearing venue

You should arrive 30 minutes before the hearing is due to start.

When you arrive, the tribunal clerk, will meet you and explain briefly what will happen, the location of the hearing room, what facilities are available and where they are.

If you have any questions before the hearing, please ask the tribunal clerk. When the tribunal is ready to start, the clerk will collect you and take you to the hearing room.

If you require refreshments or lunch, the clerk will be able to advise you where the nearest facilities are.

Cold water is provided in the main hearing room.

Consultation rooms

We are unable to guarantee that consultation rooms will be available, and on occasions both parties may have to wait in the same waiting room and with other members of the public.

How long will my hearing take?

It depends on the type of case you have.

Type of case	Length of hearing
Appeal against refusal to assess	Half day hearing, starting at 10am or 2pm
Refusal to make a statement	
Part 4 only	
Cease to maintain the child's statement	
Disability discrimination claims	All day hearing starting at 10am
Appeals against Part 2, 3 and 4	

Attendance at the hearing

You must tell us in advance on the attendance forms who will be coming to the hearing. If you arrive at the hearing with people you have not told us about, the judge might not allow them to join the hearing.

Parents must let us know if their child will be attending. You must ensure that there is someone to look after them when they are not in the hearing room. Staff will not be able to look after your child and there may not be a suitable place in the building for them to be looked after by the person caring for them.

There are limits to the numbers of witnesses who can attend to the hearing:

For **special educational needs** appeals – you are normally allowed to bring up to three witnesses to the hearing. If you wish to bring more than three, you will need to request permission in writing on the request for change form explaining why you need more witnesses.

For **disability discrimination** claims – you are normally, allowed to bring up to five witnesses to the hearing. If you wish to bring more than five, you will need to request permission in writing on the request for change form explaining why you need more witnesses.

Observers – You will need to request permission in writing on the request for change form explaining why you need an observer to attend the hearing. Please note, observers are not allowed to take part in the proceedings or take notes.

The request for change form is available online at hmctsformfinder.justice.gov.uk

You are responsible for making sure that your witnesses know where and when the hearing is taking place, and for making sure they arrive on time.

Adjournment of the hearing

At anytime during the hearing, if the judge feels that hearing needs further time or evidence to continue to conclusion, the judge may adjourn the hearing to a later date to be agreed by the panel and parties.

Conclusion of the hearing

At the conclusion of the hearing, the judge will either give their decision or advise when their decision will be given (normally 10 working days from the hearing).